

MANDATE

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
THURGOOD MARSHALL U.S. COURT HOUSE
40 FOLEY SQUARE, NEW YORK, N.Y. 10007

Catherine O'Hagan Wolfe
CLERK OF COURT

Date: 10/16/07
Docket Number: 07-3597-pr
Short Title: Osorio v. Conway

DC Docket Number: 05-cv-473
DC: SDNY (NEW YORK CITY)
DC Judge: Honorable Denny Chin

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 16th day of October, two thousand seven.

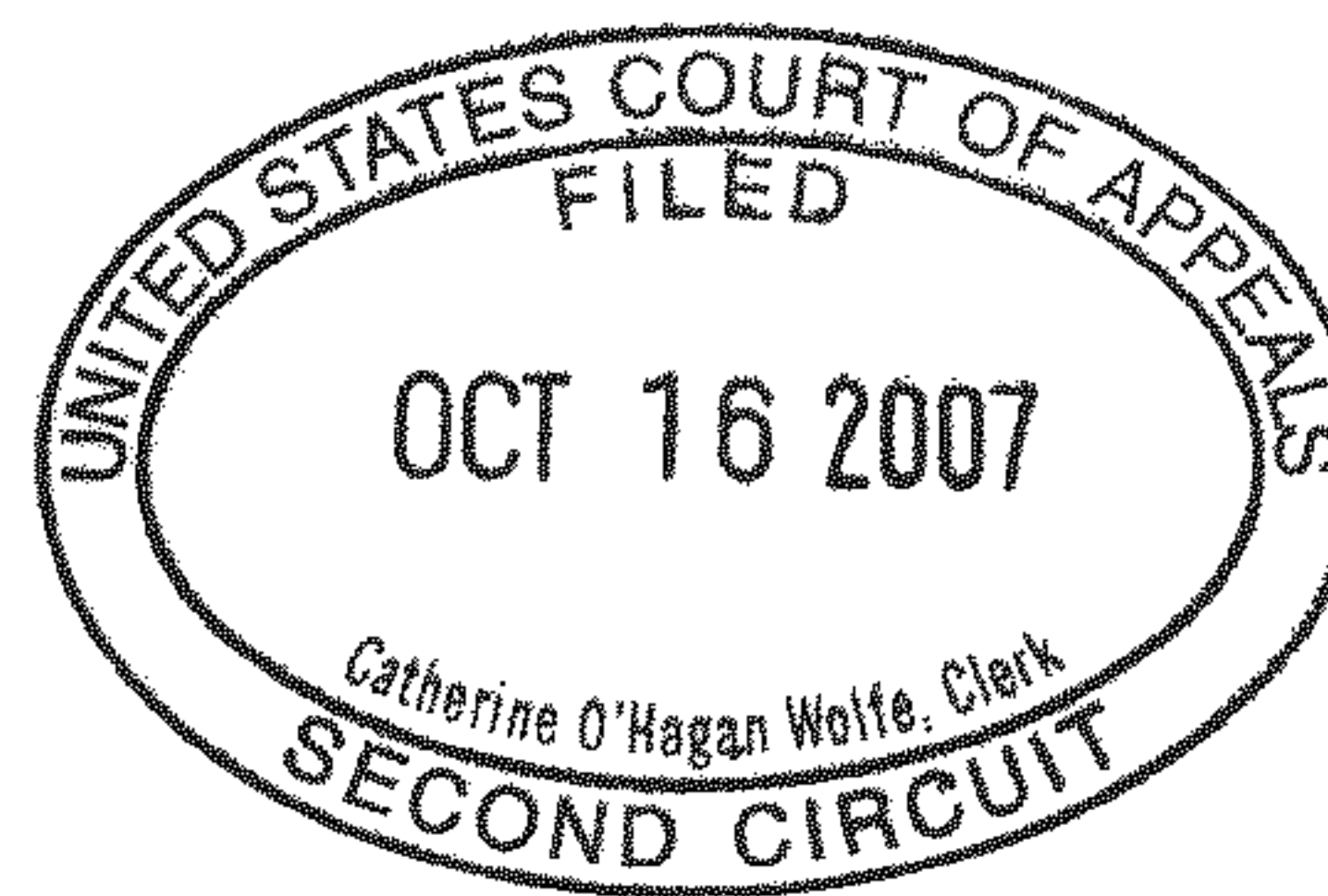
Carlos Osorio,

Petitioner-Appellant,

v.

James Conway,

Respondent-Appellee.



Petitioner having filed a Notice of Appeal from an order denying relief in an application brought under the provisions of 28 U.S.C. Section 2254, and it appearing that the District Court denied petitioner's Carlos Osorio request for a Certificate of Appealability, the Court of Appeals construed the Notice of Appeal as a motion for Certificate of Appealability, requesting that petitioner Carlos Osorio comply with this Court's Local Rule 22(a), by submitting, within 21 days of the initial request, a motion in support of a Certificate of Appealability in which petitioner identified each issue to be raised on appeal and provided facts and a brief statement of reasons showing that petitioner had been denied a constitutional right.

Petitioner having failed to comply with the Second Circuit Local Rule 22(a), it is **ORDERED** that petitioner's request for a Certificate of Appealability is **DENIED** and **DISMISSED** with prejudice. Any motions pending prior to the entry of this order of dismissal are deemed **MOOT**.

For the Court:
Catherine O'Hagan Wolfe, Clerk
By: Yolanda Siders
Yolanda Siders, Deputy Clerk

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk

by Yolanda Siders
DEPUTY CLERK

Certified:

OCT 16 2007

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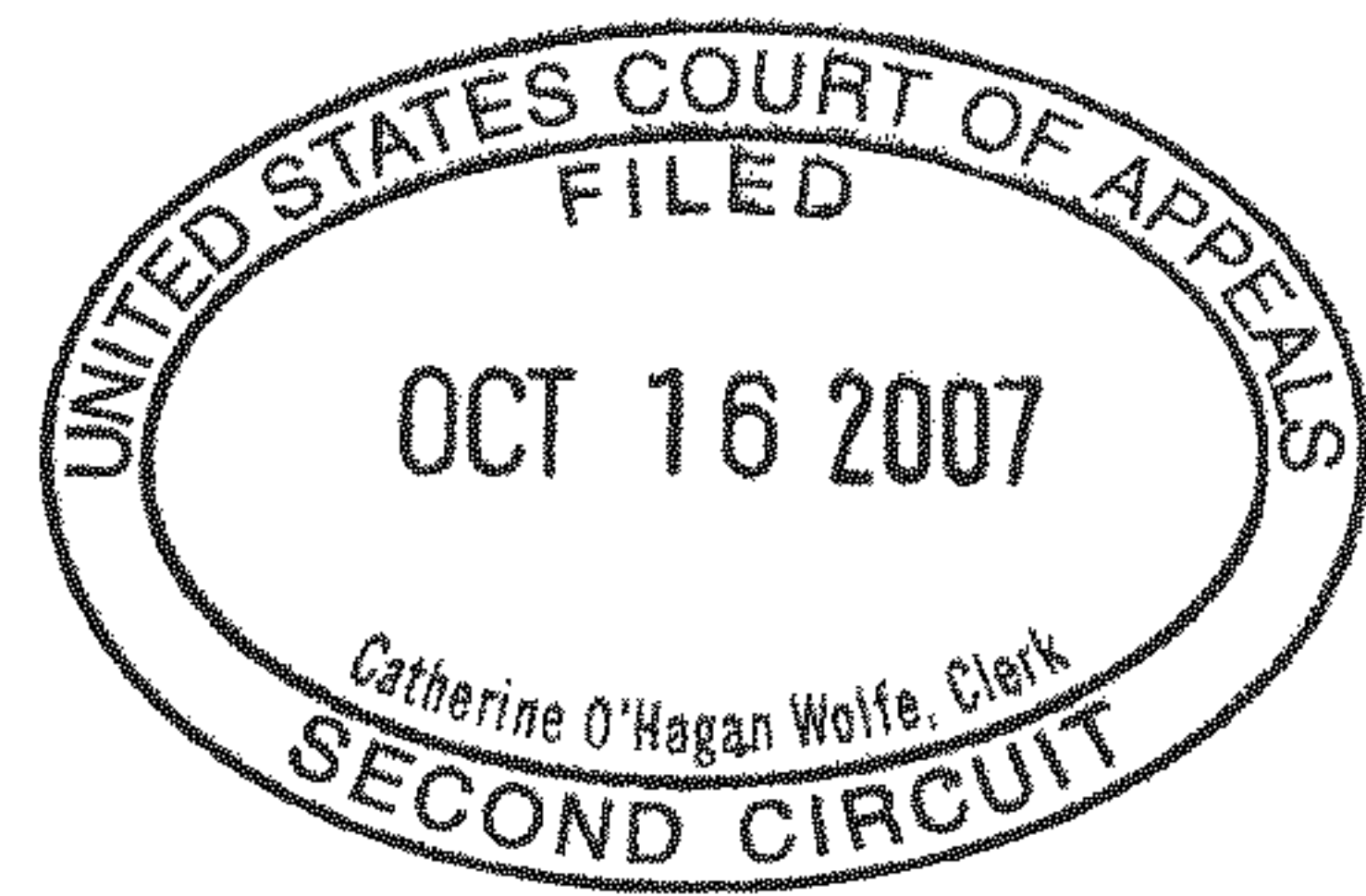
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THE CERTIFIED ☒ ORDER () NOTICE
() STATEMENT OF COSTS
HAS BEEN RECEIVED, BY _____
DATE _____
"RETURN TO PRO SE TEAM"